



The Board of Commissioners of Vigo County

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CITY CLERK

FOR IMMEDIATE RELEASE, MAY 10, 2017
BOARD OF COMMISSIONERS OF VIGO COUNTY

This statement is being submitted today to confirm the Board of Commissioners of Vigo County have directed the County Attorney to withdrawal the petitions pending before the Terre Haute City Board of Zoning Appeals and the Terre Haute City Council to rezone the property on Praireton Road, commonly referred to as the International Paper property. This means a new Vigo County Security Complex will not be located on the International Paper site. However, this decision does not change our belief that a new Vigo County Security Complex that can handle the detainee population today and provides sufficient room for growth is both necessary and prudent. The last two (2) occasions Vigo County was in this predicament, decisions that did not look forward were made and on both occasions, our jail has become overcrowded almost immediately. Vigo County should never have to face this situation again, which is why constructing a multi-level facility on the City Hall/Courthouse campus is not realistic. By making that decision we would be ensuring Vigo County would face this conundrum again and the costs of constructing and operating a multi-level facility are without a doubt more expensive.

Over the course of our professional lives, each of us has been elected several times to several different positions within local government. In each of those cases the residents of Vigo County entrusted us with making difficult decisions. To say the decisions related to how best to deal with the perpetual overcrowding at our local jail have been anything but difficult is not factual. Millions of tax dollars contributed by the tax base of Vigo County have been shipped to other communities to hold our detainees and undoubtedly these costs (manpower, wear and tear on equipment, and the costs of detaining someone in another facility and paying for all medical costs) will only increase with further delay. We are renting space in other facilities with no control over: (1) the rental rate; (2) the availability of beds; (3) the duration of stay.

We, as Commissioners, still believe the International Paper property is the best site for the new security complex. However, the political reality of the situation is clear and a majority of the city council does not share that same belief. In our due diligence we have found other county jails in Indiana adjacent to High Schools, Boys and Girls Clubs, State Parks, and NBA

Basketball Arenas, none of which stunted growth, but given the perceived "opportunity cost" associated with the International Paper property, we have decided to withdraw the request to rezone the property.

Be assured, we will continue to do exactly what we were elected to do, provide the Sheriff and the Courts with the tools they need to provide safety for the public-at-large. We will do everything we can to keep the costs of this project down, while still planning for the future. To be realistic, there is no doubt moving away from property we already own will cost more money in the long term. Possible costs include relocating utilities or making the eventual site suitable for construction and these were costs we hoped to avoid, but we must move forward and this is the best way we see to do that. Given that we have the opportunity to lay out some of the information we have gathered over the last three (3) years, there are additional points which need to be made:

Vigo County still needs a new jail. Regardless of the ultimate location, Vigo County needs a new jail. The current condition of the jail in all respects—its size, its maintenance, and its overall facilities—are inadequate to meet the current and future demands for such a facility. Critics challenge what size of jail should be constructed and often argue that alternative facilities such as drug rehabilitation space or work release space should be prioritized instead, but the evidence is that the current 268 spaces in the Vigo County Jail do not remotely meet the current needs of the county. Even modest growth in demand for jail space will require a larger facility if we are to meet a goal of constructing a facility that will meet needs for 20 or 25 years. We will go forward with planning the site, design, and construction of a new jail.

Delay costs the county money. Complying with a federal court private settlement agreement struck in 2003 means that we have a cap on the jail population that the Sheriff must carefully observe. Although there have been variations in jail population over the last decade, the evidence over the past two years makes clear that our recent jail population exceeds the cap on a regular basis. The county is housing dozens of inmates daily in facilities in surrounding counties. The county cannot control the rates charged by those other county jails, the availability of beds, or the duration of an inmate's detention. Likewise, the Sheriff, nor the Commissioners, have any control over these variables. All individuals detained by the Sheriff are there as a result of court proceedings and a judge's order. We respect the responsibility of our county prosecutor and our judges to enforce the law and detain, when appropriate, individuals who are awaiting trial or serving sentences. The cost of housing inmates elsewhere is further compounded by increased demands on jail staff to transport those individuals to and from those other jails for appearances in court—adding to the costs associated with overtime and the costs of fuel and vehicle usage.

Vigo County is not alone in outplacing inmates. Sheriff Ewing reports contacts from his peers in other counties within the last 30 days desperate to place overflow inmates in nearby jails. He anticipates this will eventually drive up the costs associated with outplacement and he is equally concerned that some of the jails on which he has relied will not be able to accommodate our needs while other counties have similar demands because of overcrowded jails. The situation is getting worse, not better, here and elsewhere.

Jails are needed and community demands for that space is high. As noted, other counties are facing similar circumstances—older jails with insufficient space to accommodate the current demand. The *Tribune-Star* daily publishes the jail log and even the casual reader must note that the offenses charged after these arrests are often associated with drug distribution or abuse, crimes of violence (often domestic violence), failure to appear in court on earlier occasions, or on the basis of a specific court order requiring arrest and detention. We observe that many critics of our jail proposal have suggested that we house too many detainees or that alternative approaches for individual rehabilitation should be preferred over incarceration. That may be a debate worth having, but the Sheriff assures us nearly everyone in his custody has been involved in a violent offense, or failed to meet the demands of community corrections or work release (usually with multiple drug test failures), or has considerable connection to the drug culture in the community, or refuses to show up for court when ordered. We know that the Sheriff has no discretion about who stays or who leaves jail, and decisions about release are matters to be adjudicated with prosecutors, defense attorneys, and judges. Those are the facts. We believe that many critics have naïve and unrealistic notions about who is in jail and the reasons for that incarceration. These individuals are very rarely first-time offenders, vagrants, petty thieves or shoplifters, or individuals charged with misdemeanors or infractions.

Jails cannot operate by bed count alone. Often overlooked by critics is the reality that a Sheriff is obliged to classify and house inmates with respect to a number of factors entirely separate from the nature of the offense charged. The Vigo County Jail, like its peers in 91 other counties, houses both men and women who for obvious reasons must be separated in the jail environment. Many offenders require medical care and the full array of infectious diseases and chronic medical conditions are present in the jail—and this sometimes requires focused attention on how those inmates are housed. Some inmates have a history of violence or internal jail misconduct such as attempt to smuggle contraband (drugs, weapons) into the jail. Many jail inmates are familiar with each other and have longstanding rivalries or personal enmity. Separating those individuals from each other is critical to keeping the environment safe for all concerned, inmates and staff. This is true in the current facility and equally true as we plan a new jail.

Many people who acknowledge the need for a jail want it placed "somewhere else." We understand completely the aversion to the necessity, cost, and location of a jail. We do not have the luxury of ducking the problem or pointing fingers; our job is to deal with reality and to do so with the long-term interests of Vigo County in mind. We have the current problem because a "quick fix" 15 years ago didn't last nearly as long as everyone hoped. We have been studying this issue since 2013 and we've learned a few things: multi-level facilities are impractical and expensive to operate; the possibility of future expansion of a jail cannot be excluded from consideration (and grants flexibility to those who serve in this capacity years from now); and not all locations are equally appropriate.

The current City Hall/Courthouse location will not work. There is not enough space. The county doesn't even own the property that would be needed to build a facility there. Other locations with minimal acreage would require exactly the kind of multi-story facility that would be impractical and expensive. Some have even suggested the construction of a parking garage

adjacent to such a facility. Few construction projects are more expensive than a parking deck. We ruled out this option as far too expensive and a limitation on future needs.

Many repeat the refrain that the bare land at 13th and Hulman streets is ideal. Yet, only a portion of that property has been reclaimed and the remainder is still contaminated. It makes no sense to build a security complex in such circumstances. There are additional emergency management issues with respect to that location and nearby chemical manufacturers. The cost of reclamation would be in the millions of dollars. It's simply not a wise option.

We have endeavored to be transparent about reasons to consider some locations and not others, but our efforts have not been successful. It is easy for critics to point out a site across town or in another township without considering ownership, soil conditions, utilities, room for expansion, floodways, costs of site preparation, and like considerations. As stewards of taxpayer money, we are obliged to consider all factors, not only personal preferences or uninformed recommendations.

Despite allegations to the contrary, jails are not unsafe or unsatisfactory neighbors, at least not in many other Indiana counties. We are frustrated that many have accepted without question that a jail is a despicable and unacceptable neighbor. While we think many neighborhoods might welcome a law enforcement headquarters and detention center as an enhancement to public safety and the quality of life in the area, it's clear that not everyone shares that view. We acknowledge and respect those opinions even as we urge people to consider the reality that jails in Hamilton, Boone, Johnson and Brown counties all have schools very close to their jails. The Hendricks and Johnson county jails are immediate neighbors to the largest medical complexes in those counties. The Monroe County Jail is a block from a thriving city square in Bloomington where development has blossomed over the last 20 years. Youth sports facilities are next door to the Parke and Howard county jails. The Montgomery County Jail sits outside of Crawfordsville a short distance from the Montgomery County Boys and Girls Club.

Interestingly, the Allen County Jail (Fort Wayne) sits alongside a public park built into the bend of the St. Mary's River. The Marion County Jail, among the homeliest such structures in our state, sits in the center of one of the most thriving downtown areas in the country—a couple of blocks from Bankers Life Fieldhouse and close to development of the Cityway area over the past couple of years. Lucas Oil Stadium is within walking distance. We accept the representations that some developers have an aversion to a nearby jail, but we also note that the evidence is that jails can safely operate alongside schools, parks, youth recreational facilities, and economic development of all stripes. It happens every day in other Indiana counties.

We are committed to move forward. Two pending lawsuits continue to merit our attention. Our attorneys are managing the litigation as we explore alternatives for our current jail facility and will continue to do so. The attorneys representing inmates are, however, showing increasing impatience at our failure to make progress. That will not deter us from making the best possible choices that are cost effective, take into account future need, and respect the opinions of our constituents and county taxpayers. Meanwhile, we will manage the county-owned property along Prairieton Road and listen attentively as proposals are made for its acquisition and use as we go forward. We will continue to use our best efforts to remedy the

current challenges at the jail in the best way we know how and seeking the wisdom of persons familiar with jail construction and the opinions of all citizens.

Judy Anderson

Brad Anderson

Jon Marvel

Vigo County Commissioners